

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

**IN RE: ETHICON, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION**


Gay v. LifeCell Corporation,)	
N.D. Texas, C.A. No. 3:13-02639)	MDL No. 2327

ORDER REINSTATING STAY OF CONDITIONAL TRANSFER ORDER

On July 19, 2013, the Panel filed in this docket a conditional transfer order pertaining to, *inter alia*, this action (*Gay*). In the absence of any known opposition to the proposed transfer, the stay of transmittal with regard to *Gay* was lifted on July 29, 2013, and the action was transferred to the Southern District of West Virginia. Subsequently, on August 1, 2013, the Panel received a motion to reinstate the conditional transfer order submitted by defendant LifeCell Corporation in *Gay*. In their motion, defendant, through counsel, asserts that it did not receive a copy of the conditional transfer order until July 23, 2013. Defendant argues that it was unrepresented by counsel at the time the Panel order was mailed. The Panel is persuaded that these circumstances justify reinstatement of the conditional transfer order in *Gay* in order to permit defendant to pursue its opposition to transfer.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-90" filed on July 19, 2013, is REINSTATED insofar as it relates to this action. Defendant's motion is accepted as a notice of opposition and is deemed filed as of August 1, 2013. In accordance with Rule 6.1(e) and 7.1(f), defendant shall file the required motion and supporting brief to vacate the conditional transfer order on or before August 12, 2013. No extensions of time will be granted.

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

Activity in Case MDL No. 2327 IN RE: Ethicon, Inc., Pelvic Repair System Products Liability
Litigation Order Reinstating CTO
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United States

United States Judicial Panel on Multidistrict Litigation

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Case Name: IN RE: Ethicon, Inc., Pelvic Repair System Products Liability Litigation
Case Number: [MDL No. 2327](#)
Filer:
Document Number: [1067](#)

Docket Text:
ORDER REINSTATING CTO-CTO-90 (re: pldg. ([1024] in MDL No. 2327, 1 in TXN/3:13-cv-02639)([1066] in MDL No. 2327))

The stay of the Panel's conditional transfer order designated as CTO-90 filed on 7/19/13 is REINSTATED. Defendant LifeCell Corporation notice of opposition is deemed filed as of 8/1/13.

Motion to Vacate with Brief in Support due on or before 8/12/2013. Responses due on or before 9/3/2013.

Signed by Clerk of the Panel Jeffery N. Luthi on 8/2/2013.

Associated Cases: MDL No. 2327, TXN/3:13-cv-02639 (dn)

Case Name: Gay v. LifeCell Corporation
Case Number: [TXN/3:13-cv-02639](#)
Filer:
Document Number: [5](#)

Docket Text:

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Signed by Clerk of the Panel Jeffery N. Luthi on 8/2/2013.

Associated Cases: MDL No. 2327, TXN/3:13-cv-02639 (dn)

MDL No. 2327 Notice has been electronically mailed to:

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